GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:444
ANSWERED ON:22.04.2003
WOMEN PRISONERS
IQBAL AHMED SARADGI;NARESH KUMAR PUGLIA

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government have formulated any specific guidelines to monitor the implementation of the recommendations by the State Governments/UTs to improve the basic facilities for women in detention;

(b) if so, the details of the guidelines issued in this regard;

(c) whether the Government are aware that a large percentage of women prisoners in different jails of the country are undertrials;

(d) if so, the details in this regard;

(e) whether the Supreme Court in its ruling has stated that an undertrial should not spend more than half the maximum period of punishment in jails;

(f) if so, the reaction of the Government thereto; and

(g) the steps proposed to ensure safe conditions for women prisoners in jails?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI)

(a)to(g): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO.444 FOR REPLY ON 22.4 REGARDING WOMEN PRISONERS.

(a)&(b): `Prisons` being a State subject under List-II of the Seventh Schedule to the Constitution, the Central Government through advisories from time to time have impressed upon the State Governments to implement recommendations made by various Committees to improve the facilities for women in detention. In order to supplement their efforts in this direction, the Central Government have been providing financial assistance for modernization of prison infrastructure. The implementation of recommendations by State Governments/UTs are monitored by the Central Government through periodic visits, reports and review meetings held at regular intervals.

(c)&(d): Yes Sir, the Government are aware that a large percentage of women prisoners in different jails of the country consists of under-trials. At the end of year 2000, number of under trial women prisoners was about 68% of the total women prisoners.

(e)&(f): In Rajdev Sharma Vs. State of Bihar case, the Supreme Court has held that in cases where the accused has been in prison for a period of not less than half of the maximum period of punishment prescribed for the offence, the trial court shall release the accused on bail forthwith on such conditions as it deems fit.

(g): The Union Government have circulated among States/UTs a Model Prison Manual which has been prepared taking into account the concerns expressed by the Supreme Court of India, National Human Rights Commission, UN Minimum Standards, etc. which has provisions for improving facilities to prisoners. Besides, a new non-plan scheme for modernization of prison administration has also been introduced in the year 2002-2003, which can be utilised to provide better and safer conditions for the women prisoners.